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File No. 1351.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Memran EXAMINER: Trost  
SERIAL NO.: 10/002,382 ART UNIT: 2683  
FOR: System for Utilizing Vacuum Tubes In Computer Audio  
Circuitry  
FILED: 10/20/01

REVIVED PETITION TO MAKE SPECIAL  
PURSUANT TO MPEP - 708.02(II) AND 37 CFR 1.102

Mail Stop  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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JUN 06 2003

Dear Sir:

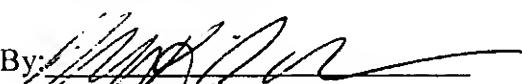
Technology Center 2600

This is a renewed petition under MPEP 708.02 to make the instant application special by reason of infringement of the invention thereof.

Any petition fee under 37 CFR 1.17(i) should be charged to PTO Deposit Account No. 502557. Applicant is a small entity.

Also enclosed is an Opinion of Patentability and an Opinion of Infringement which, collectively, satisfy the requirements of MPEP 708.02(II).

Respectfully submitted,  
LOUIS I. MEMRAN

By:   
Melvin K. Silverman  
Reg. No. 26,234

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Enclosures

1. Opinion of Patentability.
2. Opinion of Infringement.



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SERIAL NO.: 10/002,382 ART UNIT: 2683  
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OPINION OF INFRINGEMENT

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Dear Sir:

I, Applicant's attorney of record, have reviewed the attached Declaration of L. Memran and articles of AOPEN.COM, Inc. of Taiwan, Republic of China concerning an AX4B-533 vacuum tube and its related motherboard. In or about June, 2002, AOPEN introduced into the United States a chipset which integrated a AX4B-533 tube into a CPU motherboard utilizing an Intel 845 chip.

The Applicant has made a rigid comparison of the allegedly infringing device, and the same is attached herewith in the form of said Declaration.

AOPEN's incorporation of a vacuum tube into a chipset was for the purpose of enhancing the audio quality of speakers associated with a personal computer, and as such, falls within the scope of Applicant's Claim 1 which reads as follows:

“1. A tube card for use with computer audio circuitry comprising:

at least one vacuum tube, each of said vacuum tube having an input and an output; a DC-to-DC voltage converter supplying high voltage to said vacuum tube; and an analog output signal for a sound input to said at least one vacuum tube, said output of said at least one vacuum tube connected to an external device.”

Further, independent Claim 5 of the present application reads as follows:

“5. A combination tube card for use with computer audio circuitry, comprising:

at least one vacuum tube, each of said vacuum tube having an input and an output; a DC-to-DC converter supplying high voltage to said vacuum tube; and  
a sound chip having an analog output, said analog output connected to an input of at least one vacuum tube, said output of said at least one vacuum tube connected to an external device.”

The above claims thereby cover the use of the Applicant's technology with reference to both sound cards and sound chips, and also relate to the use thereof within a motherboard of a computer as, for example, is reflected in Claim 6 which reads as follows:

“6. The combination of a tube card for use with computer audio circuitry of claim 5 wherein:

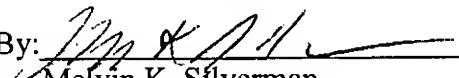
said sound chip having a digital input/output, said digital input/output connected to a motherboard of a computer.”

In view of the above, and the analysis of my client Louis Memran, the motherboard offered by AOPEN.COM since June, 2002 falls within the scope of one or more of the claims of the instant application.

Upon information and belief, AOPEN.COM not only offers their products on the Internet but, as well, sells through U.S. distributors and has been doing so for several months under the trademark COMPUTUBE.

The undersigned does not know of any patent held by AOPEN.COM or its distributors. Further, given the publication of the instant Application on or about May 2, 2002, it is unlikely that an application for patent directed to the COMPUTUBE could have been filed unless, unknown by the undersigned, the same had already been filed by such date. In any event, such filing would, in all likelihood, have been well subsequent to the Applicant's domestic priority under Serial No. 60/245,285 of November 1, 2000.

Respectfully submitted,  
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Enclosure

Declaration of Louis Memran.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Memran EXAMINER: Trost  
SERIAL NO.: 10/002,382 ART UNIT: 2683  
FOR: System for Utilizing Vacuum Tubes In Computer Audio Circuitry  
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OPINION OF PATENTABILITY

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JUN 06 2003

Technology Center 2600

Dear Sir:

Currently, solid state devices such as transistors and the like are used in IC boards for the amplification of audio signals in computer audio circuitry. Transistors are compact, cheap, and reliable components. However, transistors are unable to produce an audio sound which is particularly pleasant to the human ear. In low cost digital-to-analog converters, the sound which the transistors produce is often harsh. This technology therefore does not enhance the sound quality of low cost speakers which are employed in most personal computers today. Conversely, vacuum tubes, where used at all in contemporary electronics, are employed in expensive audio systems which require transformers and ancillary vacuum tubes for their operation.

This invention provides a system and means of integrating vacuum tubes into the motherboard of a personal computer to thereby furnish, to the otherwise pedestrian speakers thereof, high quality audio characteristics.

I have caused to be effected a careful and thorough search of the art. As a result, the only art now known to the Applicant in which vacuum tubes are employed in analog to digital or digital-to-analog technology relate to the areas of audio processing; sound mixing, often as a part of a loudspeaker control circuit; and electric instruments.

This technology is reflected in the following:

U.S. Patent No. 5,721,784 (1990) to Bernardo, entitled Asymmetrical Driver for Asymmetrical Loudspeakers.

U.S. Patent No. 5,789,689 (1998) to Doidic, entitled Tube Modeling Programmable Digital Guitar Amplification System;

U.S. Patent No. 802,182 (1998) to Prichard, entitled Audio Process Distortion; and

U.S. Patent No. 6,350,943 (2002) to Suruga et al, entitled Electric Instrument Amplifier.

A copy of the Abstract of each of the above is enclosed herewith. As may be noted therefrom, traditional vacuum tubes, where combined in some fashion with contemporary digital circuitry, relate almost exclusively to audio amplifiers and amplifiers for electric instruments, such as electric guitars. Accordingly, the art does not teach a practical means of integrating a vacuum tube into a motherboard of a CUP of a personal computer having, as an effect thereof, the enhancement of the audio quality of otherwise conventional speakers associated with the personal computer.

I therefore am of the opinion that the invention, as claimed, is clearly allowable over all effective art of record.

Respectfully submitted,  
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Enclosures

Abstract of patents set forth above.

United States Patent [19]  
Bernardo

US005721784A

[11] Patent Number: 5,721,784  
[45] Date of Patent: Feb. 24, 1998

[54] ASYMMETRICAL DRIVER FOR  
ASYMMETRICAL LOUDSPEAKERS

[76] Inventor: Carmelo F. Bernardo, 12 Street,  
Lakandula, Angeles City, Philippines

[21] Appl. No.: 593,834

[22] Filed: Jan. 30, 1996

[51] Int. CL<sup>6</sup> H04R 1/02

[52] U.S. Cl. 381/89; 381/59

[58] Field of Search 381/96, 89, 59,  
381/61

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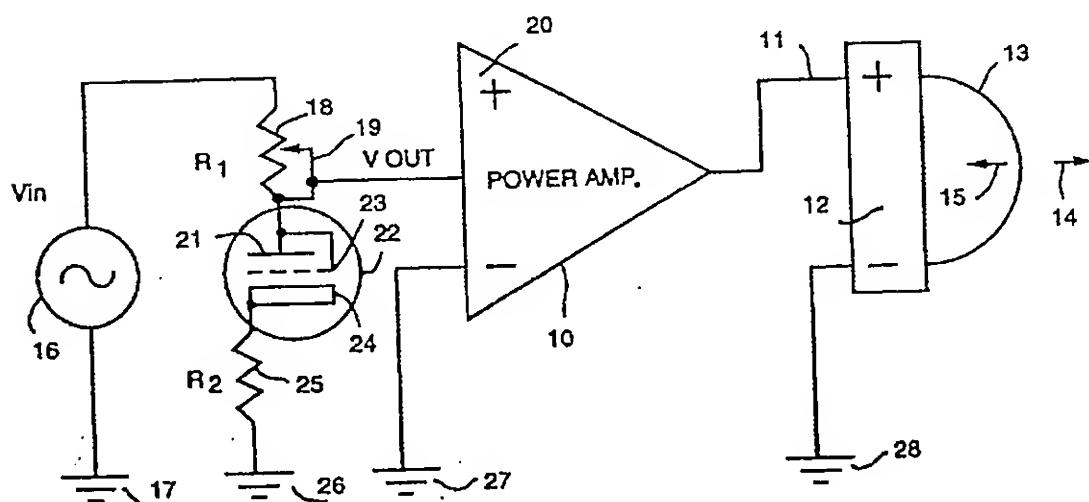
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Primary Examiner—Curtis Knatz  
Assistant Examiner—Vivian Chang  
Attorney, Agent, or Firm—Schweitzer Cormann Gross &  
Bondell LLP

[57] ABSTRACT

An audio output system, having loudspeakers with an asymmetrical output in response to symmetrical modulated input signals, is provided with a unidirectional limiting circuit for proportionally reducing input signals of a polarity to drive the loudspeaker in the direction of its greatest response. In its basic form, the limiting circuit is a voltage limiting circuit, preferably a voltage divider, which includes a rectifier device. When the driving signal is of a polarity to produce a greater response from the loudspeaker, the rectifier device conducts and the magnitude of the signal voltage is reduced, resulting in substantially greater uniformity of output response of the loudspeaker in both directions. When the limiting circuit is placed on the input side of the power amplifier, the rectifier device advantageously is a vacuum tube connected as a diode. When located in the output stages of the power amplifier, where higher signal voltages are available, solid state rectifier devices may be employed. Multiple asymmetrical loudspeakers may be controlled using a single limiting circuit, provided all such loudspeakers are connected so that their greater response results when the signal thereto is of the same polarity.

9 Claims, 5 Drawing Sheets





US005789689A

**United States Patent [19]**  
Doidic et al.

[11] Patent Number: 5,789,689  
[45] Date of Patent: Aug. 4, 1998

[54] TUBE MODELING PROGRAMMABLE DIGITAL GUITAR AMPLIFICATION SYSTEM

[76] Inventors: Michel Doidic, 7611 Truxton, Los Angeles, Calif. 90045; Michael Mecca, 1210 Appleton Way, Venice, Calif. 90291; Marcus Ryle, 2167 W. Ridge, Los Angeles, Calif. 90049; Curtis Senffner, 1433 17th St. #2, Sta. Moaica, Calif. 90404

[21] Appl. No.: 785,004

[22] Filed: Jan. 17, 1997

[51] Int. Cl.<sup>6</sup> G10H 1/02; G10H 7/12; H03F 19/00; H03M 1/62

[52] U.S. Cl. 84/603; 84/607; 84/621; 84/629; 84/630; 84/631; 84/633; 341/138; 381/118; 381/120

[58] Field of Search 84/601, 602-607; 84/621, 626-633, 662-665; 330/10, 251; 381/111, 116-118, 120; 379/100; 341/138-140

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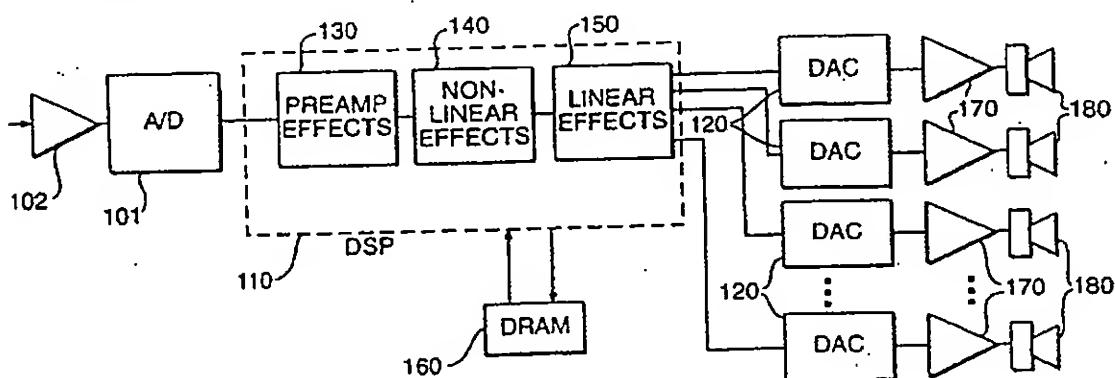
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Primary Examiner—Stanley J. Witkowski  
Attorney, Agent, or Firm—Finegan, Henderson, Farabow, Garrett & Dunner, LLP

[57] ABSTRACT

An electric guitar amplifier which utilizes a digital signal processor to produce vacuum-tube-like distortion without certain unwanted audio artifacts created by previous digital realizations of nonlinear, high-gain functions. By virtue of a microprocessor-controlled digital signal processor embodiment, the invention gives the user programmable control over parameters normally associated with state-of-the-art guitar amplifiers (e.g. tone controls, reverb controls, tremolo controls, etc.), as well as other musically useful parameters which are not normally included among the controls of a guitar amplifier (e.g. selection of preamp type, autovolume, reverberation type, autowah, etc.).

45 Claims, 18 Drawing Sheets



United States Patent [19]  
Pritchard

US005802182A

[11] Patent Number: 5,802,182  
[45] Date of Patent: Sep. 1, 1998

[54] AUDIO PROCESS DISTORTION

[76] Inventor: Eric K. Pritchard, Rte. 1 Box 536,  
Berkeley Springs, W. Va. 25411

[21] Appl. No.: 759,128

[22] Filed: Dec. 2, 1996

Related U.S. Application Data

[63] Continuation-in-part of Ser. No. 281,019, Jul. 27, 1994.

[51] Int. CL<sup>6</sup> H03G 3/00  
[52] U.S. CL 381/61; 381/65  
[58] Field of Search 381/61, 64, 65,  
381/63, 98, 106

[56] References Cited

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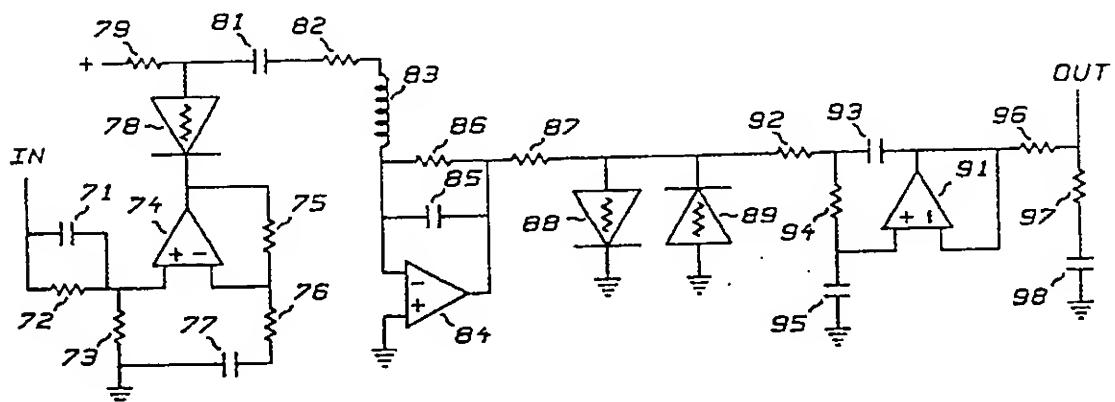
Primary Examiner—Forester W. Isen  
Attorney, Agent, or Firm—Barnes & Thornburg

[57] ABSTRACT

The audio process is a signal path having a plurality of filters connected or including distortion means. The prime example of this phenomenon surrounds inductances such as found in magnetic tape recorders, spring reverberators, and transformers. The inductors require a pre-emphasis filter to produce a constant current. Secondly there are the complementary filters associated with the average spectrum of audio which are used to maximize the signal to noise ratio. Ideally the net response of the filters is flat, however, roll-offs at the audio extremes are quite common.

The audio process distortion emulates the distortion of the active devices between the filters such as vacuum tube and magnet non-linearities. Since the distortion devices follow filters, the spectra of distortion is different than the frequency response.

27 Claims, 3 Drawing Sheets





US006350943B1

(12) United States Patent  
Suruga et al.(10) Patent No.: US 6,350,943 B1  
(45) Date of Patent: Feb. 26, 2002

(54) ELECTRIC INSTRUMENT AMPLIFIER

(75) Inventors: Michio Suruga, Inagi; Yoshihiro Suzuki, Tama; Kentaro Matsumoto, Kawasaki, all of (JP)

(73) Assignee: Korg, Inc., Tokyo (JP)

(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: 09/750,861

(22) Filed: Dec. 28, 2000

(51) Int. Cl. 7 G10H 1/12; G10H 1/46

(52) U.S. Cl. 84/603; 84/661; 84/665; 84/DIG. 9; 84/DIG. 10

(58) Field of Search 84/603, 626-633, 84/662-665, 659-661, 701-711, 735-741, DIG. 9, DIG. 10

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## U.S. PATENT DOCUMENTS

5,789,689 A 8/1998 Doidic et al.

Primary Examiner—Stanley J. Witkowski

(74) Attorney, Agent, or Firm—Muramatsu &amp; Associates

## (57) ABSTRACT

An electric instrument amplifier emulates an audio characteristics of a traditional vacuum-tube type amplifier. The electric instrument amplifier is formed in a single housing for amplifying an audio signal from an electric instrument. The electric instrument amplifier includes an A/D (analog-to-digital) converter for converting a first analog signal from the electric instrument to a digital signal, a digital signal processing circuit for processing the digital signal to add an intended effect to the digital signal, a D/A (digital-to-analog) converter for converting the digital signal processed by the digital signal processing circuit to a second analog signal, a tube amplifier having at least one vacuum-tube for amplifying the second analog signal, and a virtual power circuit formed with semiconductor devices for amplifying or attenuating an audio signal produced by the tube amplifier.

11 Claims, 7 Drawing Sheets

